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Specialty Insurance Co. (“USSIC” or together with the Plaintiffs and Formentera, the “Parties”), by and through their respective undersigned counsel, hereby jointly file this Proposal to the Court regarding a scheduling order in the above-styled adversary proceeding (the “AP”) and state as follows:

1. On March 9, 2022, the above-captioned debtors each filed a voluntary petition for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. § 101, *et seq.* in the Court.

2. On May 5, 2023, the Plaintiffs filed the *Complaint and Request for Declaratory Judgment and Enforcement of Certain Provisions of Confirmed Plan* (Doc. 1) (the “Complaint”) against Formentera and USSIC seeking a declaratory judgment under 28 U.S.C. § 2201(a).

3. On May 8, 2023, the Court issued the *Order Regarding Adversary Proceedings Trial Setting and Alternative Scheduling Order* (Doc. 6) (the “Preliminary Scheduling Order”).

4. On June 14, 2023, Formentera filed the *Defendant Formentera Partners Fund I, LP’s Rule 12(b)(6) Motion to Dismiss* (Doc. 12) (the “Formentera Motion to Dismiss”) requesting the Court to dismiss Plaintiffs’ claims against Formentera.

5. Pursuant to N.D. Tex. L.B.R. 7007-1(e), the Plaintiffs have until July 5, 2023 to file a response to the Formentera Motion to Dismiss.

6. USSIC has until July 17, 2023 to file an answer or other response to the Complaint. (*See* Doc. 11).

7. On June 15, 2023, in accordance with the terms of the Preliminary Scheduling Order, counsel for the Parties conferred with each other to consider, among other things, a proposed scheduling order. During the conference, counsel for all Parties agreed that it would be premature to develop a detailed discovery plan and scheduling order in light of the pending

Formentera Motion to Dismiss and a potential motion to dismiss filed by USSIC on or before July 17, 2023.

8. Accordingly, the Parties propose to the Court they will confer with each other and jointly propose a scheduling order, if necessary, within ten (10) days following the Court's final disposition of any motions to dismiss filed by Formentera and USSIC in the AP.

Respectfully submitted this the 20th day of June, 2023.

/s/ Evan N. Parrott

Evan N. Parrott (admitted *pro hac vice*)

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 20th day of June, 2023, a true and correct copy of the above Proposal has been served electronically on all parties that are registered to receive electronic transmission through this Court's CM/ECF filing system in the above-styled adversary proceeding.

/s/ Evan N. Parrott  
OF COUNSEL